

REMARKS

In response to the Office Action mailed on August 19, 2005, Applicants respectfully request reconsideration. Claims 1, 2, 4-7, 9-13, 15-18, and 20-26 are now pending in this Application. Claims 1, 10, 12, 21 and 23-25 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 1, 10, 12, 21 and 23-25 have been amended and claims 3, 8, 14 and 19 have been cancelled. A version of the claims containing markings to show the changes made is included hereinabove. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

Rejections under §112

Claim 26 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 26 has been amended to correct the indefiniteness cited by the Examiner. Accordingly, the rejection of claim 26 under §112, second paragraph, is believed to have been overcome.

Rejections under §103

Claims 1-5, 7-16, and 18-25 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent Publication No. 2002/0112036 A1 to Bohannon (hereinafter Bohannon) in view of U.S. Patent No. 6,247,058 to Miller (hereinafter Miller).

Claim 1 has been amended to include the limitations of claim 8 and claim 3. Claim 1 now includes the step of adding a predetermined delay to the timestamp to produce the transmit identifier and that the predetermined delay is greater than a maximum transmission delay for transmission of the client request to one of the plurality of servers from a master server.

The Examiner stated that Bohannon does not teach the transmit identifier includes a timestamp reflecting the arrival time of the client request. With respect to claim 3, the Examiner stated that Bohannon teaches adding a predetermined

delay to the timestamp to produce the transmit identifier, and with respect to claim 8, that Bohannon teaches that the predetermined delay is greater than a maximum delay for transmission of the client request to one of the plurality of servers from a master sever.

Applicants respectfully disagree with the Examiner's statement. The Examiner referred to paragraph 132 of Bohannon regarding the teaching that the predetermined delay is greater than a maximum delay for transmission of the client request to one of the plurality of servers from a master sever. A review of this section of Bohannon reveals that the responses are synchronized by sharing their time clocks and round trip times (RTTs) with each other. Bohannon uses RTTs in some algorithm with the synchronized time to send the message. The RTT is not a maximum delay for the transmission of the client request to one of the plurality of servers, since this delay time is not a round trip time (a round trip time being the time for the response to complete a trip from the client to the Internet site selector to the group members and back ) the but only the portion of the round trip from the master server to one of the plurality of servers. Thus, in the present application, the delay time taken into account is only the delay time from the master server to the plurality of servers and any delay time from the rest of the request routing is ignored. This eliminates all the jitter/noise and delay that comes from the remainder of the request routing. Accordingly, since amended claim 1 recites using a time delay which is greater than a maximum delay between the plurality of servers and the master server, while Bohannon uses a RTT as part of its synchronization process, amended claim 1 is believed allowable over Bohannon taken alone or in combination with Miller.

Claim 10, 12, 21 and 23-25 have been amended in a similar manner, and are believed allowable for the same reasons as claim 1. Claims 3, 8, 14 and 19 have been cancelled. Claims 2, 4-5, 7, 9, 11, 13, 15, 16, 18, 20, and 22 depend from claims 1, 10, 12 or 21 and are believed allowable as they depend from a base claim which is believed allowable. Accordingly, the rejection of claims 1-5,

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7-16, and 18-25 under 35 U.S.C. §103 as being unpatentable over Bohannon in view of Miller is believed to have been overcome.

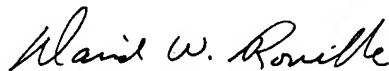
The Examiner rejected claims 6 and 17 under 35 U.S.C. §103(a) as being unpatentable over Bohannon in view of U.S. Patent No. 6,453,356 to Sheard et al. (hereinafter Sheard). Claims 6 and 17 depend from claims 1 or 12 and are believed allowable as they depend from a base claim that is believed allowable. Accordingly, the rejection of claims 6 and 17 is believed to have been overcome.

In view of the above, the Examiners rejections are believed to have been overcome, placing claims 1, 2, 4-7, 9-13, 15-18, and 20-26 in condition for allowance and reconsideration and allowance hereof is respectfully requested.

If the U.S. Patent and Trademark Office deems a fee necessary, this fee may be charged to the account of the undersigned, Deposit Account No. 50-0901.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,



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